IN SENATE, MONDAY, MARCE 8, 1850.

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Mr. BADGER. I do not purpose at all to enter into the discussion now before Senate, atthough I bope, after all the other gentlemen who are desirous of speaking on the subject shall have had an opportunity to present their views to the shall have had an opportunity to present their views to the Senate, that I may be indulged for a little space of time in submitting some remarks which I have to offer. I am very happy to perceive that there are so few members now who feel a desire to speak, as it will afford me an opportunity of being heard on this subject at no very remote day, but I rise now solely for the purpose of saying a word or two on the subject to which the Senator from Wisconsin (Mr. Walkkan referred to the subject to which it made at the moment an explanation, which was necessarily imperfect. The Senator referred to a decision made some years ago in my own State—the case of the State v. Mann—which was a prosecution against a hier of a slave for a year, for a cuel and unreasonable chastsement. The court having held in that case that an indictment did not lie, an opinion was delivered by the Chief Justice, containing some general observations. I call attention to these, partly because the spreason themselves are perhaps not suicely to be justified. They have more than once been used for the purpose of impressing upon the public mind the idea that the State which I have the honor in part to represent, there was an entire want of a just consideration for the protection of the lives and happiness of slaves, and that masters were vested with unapprint of a just consideration for the protection of the lives and happiness of slaves, and that masters is at believe, improperly assaled, and because, aiths patientar time, incidence of the influences upon its character which such opinions are likely to produce in the present state of things, it is important that such notions should be corrected where they are erroneous, as they tend to affect unfavorably the mind of the South; for

this matter at rest.

Now, in order that it may be understood what is the position occupied by the law of the State of North Carolina upon this subject, I beg leave to call the attention of the Senate to some brief extracts from adjudications in which that

And, first, in the case of the State vs. Reed, who was indicted for the murder of a slave. That indictment did not dicted for the murder of a slave. That indictment did not conclude, as we lawyers all it, "upon the statute;" and the question was, a conviction having taken place, whether any judgment could be pronounced. It was contended by the counsel who appeared for the prisoner, that, according to the law of North Carolina, slavery being recognised, a slave, independently of positive enactment by statute, was not a being within the protection of law, and therefore, for any injury done to him, it was necessary that redress should be demanded upon the footing of some statute law. It was upon this question that opinions were delivered from which I will read a brief extract. And first, from the opinion of Chief Justice a brief extract. And, first, from the opinion of Chief Justice

"I think there was no necessity to conclude the indictmen against the form of the statute; for a law of paramount obliga-tion to the statute was violated by the offence, the common law, founded upon the law of nature, and confirmed by revelation."

The second extract is from the opinion of the late Chief Justice Henderson, then an associate judge of the supreme court, and of whom I will take the liberty of saying, as he does not possess a national reputation, not having filled any national appointment, that few men ever lived who had a more clear, acute, and comprehensive understanding, or a more profound knowledge of the common law of England, and no man who possessed a more benevolent, open, generous, manly heart; to all of which I know that my colleague would bear his cheerful testimony:

"This record presents the question, is the killing of a slave "This record presents the question, is the killing of a s'ave at this day a statute or a common-law offence, and, if a common-law offence, what punishment is affixed to the act charged in this record? Homicide is the killing any reasonable creature. Murder is the killing any reasonable creature within the protection of the law, with malice prepense; that is, with seign and without excuse. That a slave is a reasonable, or more properly, a human being, is not, I suppose, denied. But it is said, that being property, he is not within the protection of the law, and therefore the law regards not the manner of his death; that the owner alone is interested, and the State no more concerned, indpendently of the acts of the Legislature upon that subject, than in the death of a horse. This is argument the force of which I cannot feel, and leads to consequences abhorrent to my nature; yet, if it be the law of the land, it must be so pronounced. I disclaim all rules or laws in investigating this question but the common law of England, as brought to this country by our forefathers when they emigrated hither, and as adopted by them, and as modified by various declarations of the Legislature since, so as to justify the foregoing definition. If, therefore, a slave is a reasonable creature, within the protection of the law, the killing of a slave with malice prepense is murder by the common law. With they are the master's by the law; the government and control of them belong exclusively to him. Nor will the law interfere upon the ground that the State rights, and not the master's, have been violated. In establishing slavery, then, the law vested in the master the absolute and uncontrolled right to the services of the slave, and the means of enforcing those services follow as necessary consequences, nor will the law weigh with the most scrupulous nicety his acts in relation thereto; but the life of the slave being no ways necessary to be placed in the power of the owner for the full enjoyment of his services, the law takes care of that, and with me it has no weight to show, that by the laws of ancient. Rome or modern Turkey an absolute

power is given to the master over the life of his slave. I answer, these are not the laws of our country, nor the model from which they were taken; it is abhorrent to the hearts of all those who have felt the influence of the mild precepts of Christianity; and if it is said that no law is produced to show that such is the state of slavery in our land, I call on them to show the law by which the life of a slave is placed at the disposal of his master."

"I would mention, as an additional argument, that if the contrary exposition of the law is correct, then the life of a slave is at the mercy of any one, even a vagabond; and I would ask, what law is it that punishes at this day the most wanton and cruel dismemberment of a slave, by severing a limb from his body, if life should be spared? There is no statute upon the subject; it is the common law, cut down, it is true, by statute or custom, so as to tolerate slavery, yielding to the owner the services of the slave, and any right incident thereto as necessary for its full enjoyment, but protecting the life and as necessary for its full enjoyment, but protecting the life and limbs of the human being; and, in these particulars, it does not admit that he is without the protection of the law. I think, therefore, that judgment of death should be pronounced against the necessary?

There is one other passage to which I will call the attention of the Senate, because it is delivered in a case subsequent to the case of the State vs. Mann, and shows the view of the judges who were upon the bench at the time that judgment was given. It is necessary for me to say that this was an indictment against a slave by the name of Will, who had killed his overseer. A special verdict was taken in order to bring the case to the Supreme Court, to test the question whether that killing was murder. It was argued that a slave, under no circumstances, had a right to resist, and that if he resisted, the killing was murder.

The opinion of the court, a part of which I am about to read, was delivered by the late Judge Gaston, whose high national reputation renders it unnecessary that I should say one word of his eminent learning and high character. He thus

expresses himself:

"The case of the State vs. Mann, at the same time pronounced, what was, indeed, beyond question, that the law protects the life of the slave against the violence of his master, and that the homicide of a slave, like that of a freeman, is murder or manslaughter. An attempt to take a slave's life is, then, an attempt to commit a grievous crime, and may rightfully be resisted. But what emotions of terror or resentment may, without the imputation of fend-like malignity, be excited in a poor slave by cruelty from his master that does not immediately menace death, that case neither determines nor proin a poor slave by cruelty from his master that does not immediately menace death, that case neither determines nor professes to determine. In the absence, then, of all precedents directly in point or strikingly analogous, the question recurs, if the passions of the slave be excited into unlawful violence by the inhumanity of his master or temporary owner, or one slothed with the master's authority, is it a conclusion of larve that such passions must spring from diabolical malice? Unless I see my way clear as a sunbeam, I cannot believe that this is the law of a civilized people and of a Christian land. I will not presume an arbitrary and inflexible rules so sanguinary in its character, and so repugnant to the spirit of those holy statutes which "rejoice the heart, enlighten the eyes, and are true and righteous altogether." If the legislature should ever preseribe such a law—a supposition which can searcely be made without disrespect—it will be for those who then sit in the judgment-seat to administer it. But the appeal here is to the common law, which declares passion, not transcending all reasonable limits, to be distinct from malice. The prisoner is a human being, degraded indeed by slavery, but yet having "organs, dimensions, senses, affections, passions" like our own. The unfortunate man slain was for the time, indeed, his master; yet his dominion was not like that of a sovereign who can do no wrong. Express malice is not found by the jury. From the facts, I am antisfied, as a man, that in truth malice did not exist, and I see no law which compels me as a judge to infer malice contrary to the truth. Unleasthere be malice, express or implied, the slaying is a felonious homicide, but it is not murder."

I call sitention also to some extracts from an opinion device of the condition of the property, that I would with the transfer of the server did not exist, and I see no law which compels me as a judge to infer malice contrary to the truth. Unleasthere be malice, express or implied, the slaying is a felonious

I call attention also to some extracts from an opinion delivered by the present learned chief justice, who also delivered the opinions in the case of the State vs. Mann, for the purthe opinions in the case of the State vs. Mann, for the purpose of showing that the inferences drawn from the general expressions of that eminent judge are entirely mistaken inferences. And I further add, if they are not so—if they are just inferences—then the opinion of the judge does not meet the approbation of the profession or the people of the State. The case to which I propose now to refer was an indictment against a master for the murder of his own slave, decided in

tion or example, and with no purpose to take life or to put it in jeopardy, the law would doubtless tenderly regard every circumstance which, judging from the conduct generally of masters towards slaves, might reasonably be supposed to have hurried the party into excess. But where the puni-hment is barbarously immoderate and unreasonable in the measure, the continuance and the instruments, accompanied by other hard usage and painful privations of food, clothing, and rest, it loses all character of correction in foro domestico, and denotes plainly that the master must have contemplated a fatal termination to his barbarous cruelties; and, in such case, it death ensue, he is guilty of murder."

All the cases to which I have called the attention of the Senate clearly show, according to the notions entertained by the wisest and best jurists in North Carolina, that masters, having a right to the time and services of the slave, as a necessary consequence have the authority to compel the performing of these services—to restrain and to punish; and that, ordinarily, the degree and manner of that punishment must be left to his discretion, just as the father has authority to control his children and compel their obedience; and, ordinarily, the means must be left at his discretion. Although the authority of the master may be, and doubtless is, much larger than that of the father, it is not unlimited; and when the expression was used in the case of the State vs. Mann. larger than that of the father, it is not unlimited; and when the expression was used in the case of the State vs. Mann, "that the authority of the master must be absolute, in order that the obedience of the slave may be perfect," it means not what the words would seem to imply; for a similar expression is used by Chief Justice Henderson, when at the same time he declares, "the master's authority was limited and restrained by law;" and Judge Gaston declares "that the master's domains in sort that of appreciate that are the same time that the master's domains in sort that of appreciation is the same that of the same is that of the same is that on the same is that of the same is that on the same is the same ter's dominion is not that of a sovereign that can do no wrong;" and Judge Henderson declares him "responsible, if he exer-cises his power in such a manner as to kill or dismember the

Then we have among these cases another one—a case of enormous cruelty, which, I confess, as a North Carolinian, I blush should have occurred in my State, whilst it is a satis-faction to know that the offender suffered upon the scaffold the just punishment of his crime. In that case the chief justice lays down, as we have seen, "that not only is the master responsible as a murderer, if he intends the death of a slave; but, whether he intended it or not, if it can be collected from the means used, or the injuries inflicted, that he intended to do a great harm, and death ensues, he is guilty of murder." I make these remarks, because I think, after what has been

said upon this subject, gentlemen should be a little careful to be accurate. Certainly a great many of these provisions connected with the institution of slavery may appear to gentle-men to be harsh; but, when they come to be careful and to examine, it will be found that no authority is intended to be examine, it will be found that no authority is intended to be conferred, except that without which the rule of the master over the slave could not be maintained, and the institution itself must be subverted; and therefore, though a large discretion is necessarily left to the master, yet when there is a clear, undoubted exercise of power, resulting in the wanton killing or dismemberment, even though the person who used it did not design either the death or the dismemberment, he stands amenable to the laws of the country, and is deemed to have

Mr. DAVIS. 'The Senator from Wisconsin has referred so frequently to the Senator from Mississippi, calling my at-tention to what he was about to say, that I think it necessary, without intending fully to reply to him, to show how unfairly he has treated what I said in the Senate on a former occasion.

Mr. WALKER. I beg to assure the honorable Senator that I did not intend to treat him unfairly.

Mr. DAVIS. I will say to the Senator from Wisconsin

that I am glad to hear his statement that he did not intend to that I am glad to hear his statement that he did not intend to do it; and yet his presentation of what I said is such as to do me great injustice; but, it being unintentional, without commentary or preliminary remark, I will merely read those passages of the speech upon which his argument was founded, and will leave what I have said, heretofore, to answer what has been said by him in relation thereto on the present occasion. It will show that he has not quoted what I did say, but something that he has assumed me to have said.

Mr. WALKER. The most material part of what I quoted from him was from a different speech from the one he holds in

Mr. DAVIS. The Senator heretofore referred to what I had said in relation to the Missouri compromise. I answered had said in relation to the Missouri compromise. I answered him on that occasion, and on receiving the pamphlet edition of my remarks, to avoid the possibility that he had misunderstood me, I assured myself that he had a copy of my speech, and called his attention to it as containing a full explanation of my views upon that subject. And if, knowing my opinions, he has represented me otherwise, I leeve it to him to explain. In this speech, when treating of what was claimed by the North as the proper action of the Federal Government in re-North as the proper action of the Federal Government in re-lation to the exclusion of the slaves of the Southern States from the Territories, and the grounds upon which it was done,

I said:
"All this under the pretext that property in slaves is local in its nature, and derives its existence from municipal law. Slavery existed before the formation of this Union. It derived from the constitution that recognition which it would not have enjoyed without the confederation. If the States had not united together, there would have been no obligation on adjoining States to regard any species of property unknown to themselves. But it was one of the compromises of the constitution that the slave property in the Southern States should be recognised as property throughout the United States. It was so recognised in the obligation to restore fugitives—recognised in the power to tax them as persons—recognised in their representation in the halls of Congress. As a property recognised by the constitution, and held in a portion of the States, the Federal Government is bound to admit it into all rived from the constitution that recognition which it would not have enjoyed without the confederation. If the States had he Territories, and to give it such protection as other private property receives."

That was my argument. I appeal to the Senator whethe

his remarks upon that portion of my speech are fairly applied to the text.

Mr. WALKER. If the Senator please, I did not quote

from that speech.

Mr. DAVIS. Then again, in speaking of the right under the constitution, after having acquired this territory from Mexico, to carry any species of property into that territory, notwithstanding any law having a prior existence which prohibition.

ted its introduction, I said : "If the right of the slaveholder to migrate into the Territories, and to carry this species of property there, is prohibited by Mexican laws, so is the right of the ordinary trader to enter there with any of those sixty articles of commerce likewise prohibited, and the privilege which every citizen now freely exercises of free trade in the Territories does not exist of right. But the right of free trade throughout the United States is derived from the constitution, and resulted necessarily and instantly from the transfer of the country to the United States. That right equally applies to the transfer of slave property from the domicil of the owner in any of the States to the same Territories; and the Mexican laws are no more in force on this subject than on the other."

"It was because the constitution overrode these prohibitory laws that free trade now exists. It is because the constitution recognises property in slaves, and secures equal privileges and "If the right of the slaveholder to migrate into the Terri-

recognises property in slaves, and secures equal privileges and immunities to all citizens of the United States, that we claim the abolition of slavery by Mexico to have died with the transfer of those Territories to the United States. By the transfer

"But, sir, because, on a former occasion, I stated what I believed to be our constitutional rights, but that, as there were two great antagonist principles in this country, the one claiming that slavery shall be excluded from all the Territories, and the other contending that slaveholders have a right to go with their property into all of the Territories, and as these two conflicting principles could not be reconciled, as compromise was only to be found in a division of the property, that I would consent to the establishment of a line, on one side of which one of these principles should prevail, and on the other side the other should be recognised—because I stated this, and because I suggested that this common Territory, which it seems cannot be enjoyed in peace together, should be divided, I was charged with the desire to establish slavery where it does not now exist. I claimed, as our existing right, the privilege to go into all the Territory, and said I would not recognise your right to exclude us from any portion of it; for one, I was willing to settle the controversy, and incur the hazard of taking in the Missouri compromise line as a division, waving the question of right. I would agree to any compromise adequate to the present crisis which equality and honor will permit."

I then go on to state what was the case when this Missouri

compromise line was applied to the Territory of Louisians, compromise line was applied to the Territory of Louisiana, which was slave territory. The line of 36° 30' was drawn through the territory, and when slavery was prohibited north of that line the division was complete. It was unnecessary to say any thing about the country below, because, saying nothing, slavery existed as theretofore. It was decided by making a division of the territory between the slaveholding and the non-slaveholding States. I have said that, in this case, where the whole territory is discussed the said that, in this case, and the non-slaveholding States. I have said that, in this case, where the whole territory is in dispute, there should be a distinct application to the one side and to the other, in order that we might have the full benefit of the spirit of the Missouri compromise, in a case unlike that for which it was made; that the citizens of the United States were engaged in controversy as to the right to take a particular species of property into the Territories; that this controversy, so painful, injurious, and dangerous in its tendency, and seemingly so irreconcilable, might be adjusted, without compromise of principle, by a division of the territory between the two sections of the Union—the one to have sole possession above, and the other to have equal possession below the line. For, sir, when you admit slavery into the territory, you do not exclude the white laborer. It is a great fallacy, which has been repeatedly here promulgated, to suppose so. No, sir; slave labor forms the substratum on which white labor is elevated, and he who seeks for that portion of our country where, in fact as in theory, for that portion of our country where, in fact as in theory, political equality does exist, must be pointed to the slaveholding States. Such, at least, I know to be the case among all the white men where I reside, and such I cannot believe to be

the case where, as in the non-slave States, white men are sunk to menial occupations.

But, sir, the Senator has noticed some closing remarks of that speech, which I hoped would have had a tendency rather to quiet than to excite controversy. Expression was given to the feelings which I have always entertained of an abiding love for all portions of the country, and no petty sectional hostility toward any has ever found shelter in my breast. Even that portion of my remarks the Senator has thought proper to comment on, and, as I think, unkindly. I indicated as the cause of sectional strife, it might be of the destruction of our happy and happiness-conferring Union, the poor, the despicable antipathy to the South because of her institution of African bondage. To this he replies that there is no hostility towards us of the South because we hold the African race in bondage, but that it is only to the extension of the territory, in which the African may thus be held. He has no hostility, then, it appears, to the fact of our holding the African race in bondage in one place, but he has insuperable objections to our doing so in another. Why is this? Is it for the benefit of that race itself? Not at all. For every man must understand that diffusion, not concentration, is for the benefit understand that diffusion, not concentration, is for the bene-fit of the slave. Is it for the benefit of the white race? Not int of the slave. Is it for the benefit of the white race? Not at all. Every one must understand that as the white population predominates over the black, the safety and happiness of both are secured; and further, all must understand that if final emancipation is ever to ensue, it must come when the slaves are few in proportion to the whites inhabiting the country. There is no policy which would perpetuate and rivet that institution forever on this country so surely as that which confines the slaves to the present limits in which they are held. There must be a door opened by which they may go out, and that door must be towards the equator. All who understand their habits and constitutional peculiarities must admit this. And yet the policy is here advocated, day after day, by those who claim to be the peculiar friends of emancipation, to draw around us a barrier to prevent the exodus of the slaves, and dam them up in the small territory which they occupy, where, dam them up in the small territory which they occupy, where, increasing in number year by year, the impossibility of eman-cipation will augment also, until he only can deny that the system must be perpetual who is prepared to see the slave become the master; to convert a portion of the States of this

Union into negro possessions; or to witness the more pro-bable result of their extermination by a servile war.

A word or two more as to another remark made by the Senator. He assumes that the Mexican States were the creation of the Federal Government, and not the Federal Government the creation of the States. Now, sir, the Mexican ernment the creation of the States. Now, sir, the Mexican Republic, like our own, passed from the colonial condition into one of national independence; and when they organized a Government, after throwing off the dominion of Spain, they stated: "This nation adopts for a form of government a popular representative and federal republic." The States were to be free and independent in the administration of their domestic affairs. The provinces became States, and their republic was a confederation framed after the model of these United States.

It was declared " that these articles of this constitution shall not be subject to alteration," &c.
Mr. BALDWIN. I wish to ask the Senator whether, by the constitution of Mexico, California and New Mexico were

constitution of Mexico, California and New Mexico were States or Territories?

Mr. DAVIS. Territories, I think.

Mr. WALKER. That I may give the Senator the advantage of this position, I will ask him a question. Suppose the Government of Mexico had been established on the plan of Iguala, and that afterwards the Congress created under that plan had taken our constitution and adopted it literally, changing things that absolutely required it, as for instance the names, would that constitution have had the same effect

there as it would here?

Mr. DAVIS. That involves a great many questions.

Mr. WALKER. I wish him to view it merely in this light; taking the consolidated government, which was in fact the plan of Iguals, and proclaimed to be the constitution of Mexico, I wish to know if the Congress created under that plan had adopted our constitution, would it have had the same of Massachusetts have been incarcerated under them. There option, founded on convenience and necessity. The con-

case as presented: thus by revolution the viceroyalty fell, and a confederation of States, free and independent, rose upon the aggression. In her view of her police policy—intended for site it had occupied. The constitution adopted defined the site it had occupied. The constitution adopted defined the powers of each department of the Federal Government—there, as here, the depository of the general trusts. I can only answer for things as I understand them to exist, not to sup-

posed cases and their effects.

I had occasion to state to the Senator on a former occasion the fact, that the slave being a person, and recognised in a twofold aspect as a person and as property, the laws of the State from which he is carried may follow him, and affect generosity proportionate to his weakness. I believe it will always be found that among us both the juries and the courte have given to the negro the amplest protection of our laws. This is the natural result of that sympathy and generosity which the relation of master and slave is apt to produce. It is the public opinion of the country, somewhat suppressed, it is true, but not destroyed, by the offensive and mischievous interference of our Northern brethren with a domestic relation which they do not understand and cannot appreciate. I renember a case in point, that of an African who was supposed to have been brought in after the year 1808, having tribes. He was purchased by subscription, and, with a sufficient outfit, was sent back to his netive country.

It is no uncommon case for questions to arise growing out of the laws of the State from which a slave may be brought, and I think this has probably led the Senator into an erro-neous construction of judicial decisions.

In replying to my remarks, the Senator from Wisconsintreats

my position as an assertion that slavery results from a natural right. I did not say that. This is the passage from my

"I do not propose to discuss the justice or injustice of slavery as an abstract proposition; I occupy this seat for no such purpose. It is enough for me to know, that here we are not called upon to legislate either for its amelioration or to fix the places in which it shall be held, and certainly have no power to abolish it. It is enough for me elsewhere to know that it was established by decree of Almighty God, that it is sanctioned in the Bible, in both Testaments, from Genesis to Revelations; that it has existed in all ages, has been found among the people of the highest civilization, and in nations of the highest proficiency in the arts. It is enough, if this were not sufficient, to know that it existed in all the States of this Union at the period of the Confederacy, and in all but one at the adoption of the Constitution, and that in one-half of them it continues to exist at the present day."

That is the passage, I believe, on which the gentleman re-

That is the passage, I believe, on which the gentleman relies. Now, sir, I never spoke about a natural right. I am not very sure what a natural right is. The only natural right comprehend is that of force; I know of no other natural right. The Senator owns a hat; not by a natural right, but by law. So he owns land, not by a natural right, but by law. I did not use the term natural right, and yet he founded

his argument upon that assumption.

Mr. WALKER. I said that the honorable Senator had traced it to the law of God; and I maintained that that certainly was as much as a declaration that slavery was founded on the laws of Nature.

Mr. DAVIS. Well, sir, I did assign it to the decree

God, and I was a little surprised to hear the Senator read the dicta of judges of human law to show that it is not the decree of God. I do not know why he should go to the reports of of God. I do not know why he should go to the reports of judicial decisions to determine what is the decree of God. He should go to the inspired writings, and not to the theories of natural right. Let the gentleman go to Revelation to learn the decree of God; let him go to the Bible, and not to the report of the decisions of courts. I said that slavery was sanctioned in the Bible, authorized, regulated, and recognised from Genesis to Revelations.

Genesis, chapter 9, verses 25, 26,—"And he said, cursed be Canaan, a servant of servants shall he be unto his brethren. And he said, blessed be the Lord God of Shem, and Canaan

And he said, pressed by the Lord Got of Shall shall be his servant.

"God shall enlarge Japheth, and he shall dwell in the tents of Shem, and Canaan shall be his servant."

Genesis, chap. 12, v. 7.—"And the Lord appeared unto Abraham, and said, unto thy seed will I give this land." This land being the plain of Moreh, then inhabited by

Verse 18 .- "The same day the Lord made a cover Abraham, saying, unto thy seed have I given this, from river of Egypt unto the great river, the river Euphrates."

And he who is said to be the lather of the lathful, of whom it is said the Lord delighted to honor, Abraham, was given the country of Canaan as his possession; and, after many years of oppression, the people of Israel returned to the land of the Canaanites, the land of promise. The Mosaiac law regulated alavery as an established institution, drawing the broadest distinction between slavery and servitude, or involuntary and voluntary servitude, making a distinction between the bondmen who should be of the heathen, and the temporary service of the laws.

the Jews.

Slavery existed, then, in the earliest ages, and among the chosen people of God; and in Revelation we are told that it shall exist till the end of time shall come. You find it in the Old and in the New Testament, in the prophesies, psalms, and the epistles of Paul; you find it recognised, sanctioned every where. It is the Bible and the Constitution on which

every where. It is the Bible and the Constitution on which we rely, and we are not to be answered by the dicta of earthly wisdom, or mere earthly arrogance, when we have these high authorities to teach and to construe the decrees of God.

I was sorry that the Senator alluded to the colloquy between myself and the Senator from Illinois, not now in his seat, and upon whose supposed position I made some strictures, in which I was corrected at the time. I admitted the correction, as I always do that of any gentleman who informs me as to his intent or meaning. I was sorry when the Senator thought proper to quote a portion of that colloquy. If he introduced proper to quote a portion of that colloquy. If he introduced any of it, he should have given the whole.

Mr. WALKER. I will say to the Senator from Missis-

sippi that I quoted it for a very different object. I quoted him to show that the admission in regard to my own position of the non-intervention laws of Mexico being in force, was better for the very claim of the South.

Mr. DAVIS. That is a sad sort of non-intervention which

Mr. DAVIS. That is a sad sort of non-intervention which binds on American people by the intervention of the laws of Mexico. I say to the Senator that I consider his position worse than the Wilmot proviso. I much prefer the position of him who comes openly with an inhibition of slavery to that of him who finds an escape from the responsibility, and takes shelter under the existing laws of Mexico. I much prefer him who takes from us by force that which we believe to be our own, to him who seeks to do it by constructions and disabilities, which he covertly and obliquely imposes.

As my friend from South Carolina is waiting for me, I will give way for him, with the single remark, that when I heard

give way for him, with the single remark, that when I heard the Senator from Wisconsin close his speech with such awful curses on agitators and those who contemplated a dissolution Mr. WALKER. I said one who should intentionally take

he first step towards its consummation.

Mr. DAVIS. Then, sir, I trust the Senator has not intenionally taken that one step to its consummation, by agitating t on the floor of Congress and shocking the feelings of nearly half the States of this Union. I trust it was not intentional, half the States of this Union. I trust it was not intentional, because, if intentional, the heavy curses which he has multiplied here will descend upon himself; and when I heard him repeat one curse after another, as long as the curses in Sterne, at every pause unbidden rose to my lips the conclusion of, Damn him, Obadiah.

Mr. BUTLER. Mr. President, opportunity must be seized, or it never may be recovered; and if I lose the present constraints to make a short realist to the short realist to make a short realist to the short realist to make a short realist to the short realist to make a short realist to the short realist realist to the short realist real

sent opportunity to make a short reply to some of the many remarks which have fallen from the Senator from Wisconsin, I may never have another. Some of his remarks seem to call for a special reply from me, as a representative of South Carolina; others have a special reference to myself, in concarolina; others have a special reference to myself, in con-nexion with the immediate debate; and others, again, have reference to my views heretofore submitted, and which, of course, have been fairly brought within the legitimate scope of debate, and which I have not time to notice now. I been specially selected as worthy of his censure and animad-version. He has thought her particularly vulnerable upon a question exposing a State much nearer to him to the same ob-jection. One, however, being a Southern and the other a Northern State—in the common language used to distinguish them, he has selected the Southern State as the one that has made aggressions on the North, whilst he has failed to notice a Northern State for the same supposed offence. South Carolina and Illinois have both excluded, with different modifications of soles from company within their headers. tions, free people of color from coming within their borders from abroad. They may not have had a common aim in their policy, but they may both have a common justification for it. All that I can do is to notice his remarks on South Carolina and her particular laws. He has denounced them in no measured language, and in a tone of invective which would seem to imply that he had given his special attention to them. He says there are laws in South Carolina which prothem. He says there are laws in South Carolina which pro-hibit free persons of color from coming within her ports in ves-sels belonging to citizens of the United States, and sailing under the American flag; and he said that citizens of Massaazgression. In her view of her police policy—intended for her safety and security—and with no view of making war on the rights of others, she has various laws regulating a black population. Under these laws, colored cooks and seamen are not allowed to come on shore from coasting vessels coming from Northern ports. I am not aware that in passing such laws, South Cerolina has either violated the con

the laws of Congress regulating foreign or domestic navigatwofold aspect as a person and as property,

State from which he is carried may follow him, and affect
his condition in the State to which he may be migrated.

The slave may have by law a right to his liberty at a certain
age; and if he be carried away before he reaches that age, he
does not become a slave for life. The decisions of the courts
of Mississippi have been most liberal in this respect. Our
Mississippi have been most liberal in this respect. Our
State can give them a local status, to which all coming within
State can give them a local status, to which all coming within

State invision must assimilate. They are a species of a State can give them a local status, to which all coming within a State jurisdiction must assimilate. They are a species of persons having such rights only as may be conferred upon them by State jurisdiction; they have no federal eligibility or federal recognition as citizens of the United States.

In Gordon's Digest of the Revenue Laws, (pp. 86 and

165,) it will be seen that national vessels engaged in the oreign trade must be manned by citizens of the United States; but it is provided that they may have as seamen colored per-sons, natives of the United States. Here the distinction be-tween citizens and native colored peopled is well recognised. They are placed in contradistinction by a federal statute, which was enacted shortly after the adoption of the federal constitution. With regard to the coasting trade engaged in the domestic commerce of the country, the provisions of the different laws regulating them are different.—(Gordon, pp. 101–104, 106–107). The marginal trade worth. the domestic commerce of the country, the provisions of the different laws regulating them are different.—(Gordon, pp. 101, 104, 106, 107.) This species of trade must have necessarily left a wider range of jurisdiction to the different States for their health, quarantine, and police regulations; and I take it that States having slaves, and States not having slaves, might have a different aim in their policy, depending on local considerations. To have a proper system of policy for their police and self-security, the colored man might be regarded in a different light in the slave States from what he would in a different light in the slave States from what he would in the free States. The slaves States are not bound to regard him as a citizen, or as having a higher status assigned to him than persons of the same class among them. The status of a free person of color is the creature of local jurisdiction; and a free man of color in Massachusetts—call him a citizen of Massachusetts, if you choose—can have no higher grade of political existence, under the constitution, than a free negro in South Carolina, when he comes to South Carolina. Their condition must be assimilated under the law that operates on them. A free man of color in South Carolina is not regarded as a citizen by her laws, but he has high civil rights. His ed as a citizen by her laws, but he has high civil rights. His person and property are protected by the law, and he can acquire property, and can claim the protection of the laws for their protection. He can hold land, and many of them hold slaves. Under the toleration of society, they have in my State a respectable position, as much so as in the Northern States, and many of them are individually highly respectable—some of high personal qualities—such as make good men, as much so as the colored citizens of Massachusetts; but they are not citizens with political privileges, they are persons recommised by zens with political privileges; they are persons recognised by law and protected by law. They have a legal existence under statute, but not a political existence under the constitution or

federal laws.

But if I understood the honorable gentleman rightly, he has taken the ground that a colored citizen of Massachusetts is a citizens within the meaning of the constitution; that "the citizen of each State shall be entitled to all the privileges and immunities of citizens of the several States." Taken in its broadest amplitude, it may be made to mean that a black man, made a citizen in a non-slaveholding State—in Wisonsin-a Wisconsin free negro, made a citizen there, becomes

n consequence a citizen of the other States, so far as he may wail himself of the provision referred to.

I am not aware of any limitations or restrictions on the proposition. Then I might ask the question, can a free man of color, made by local laws a citizen, be eligible to the presi-dency? Can he claim to be entitled to the political franchises of the constitution, as they are in all respects recognised in the constitution? If so, we may have Presidents of not only all parties, but of all colors; and I do not know who may not be President. Under this doctrine, can a black citizen of Wisconsin go to South Carolina and be a candidate for governor, in opposition to local laws? He is a full citizen under the constitution, or he is a qualified citizen under local statute. The truth is, the Ethiopian cannot change his color any more by law than by physical causes, no more than a leopard can change his spots; and I really believe I respect him as much as those who whitewash him into a political complexion unreflected from the mirror of the constitution. The constitution

And then the various tribes inhabiting the country were and laws regard him as a colored man, with the capacity of acquiring civil rights, but not entitled to the privileges and immunities of a free white citizen. It may have been that the Lord delighted to honor, Abraham, was given the country of Canaan as his possession; and, after many years the country of Canaan as his possession; and, after many years

colored seamen sailing in vessele from the ports of Massachu-setts, and to contend that they had a right to go on shore and claim the privileges of citizens of Massachusetts, or citizens of the United States—in other words, to question the constitu-tionality of the laws of South Carolina, which prohibited such tionality of the laws of South Carolina, which prohibited such persons from landing and mingling with the black population of Charleston. He was at once told that his mission was unfortunate, and that he ought to give up the office which he had assumed, and to leave the city. Some of the gentlemen who were acquainted with Mr. Hoar (and it seems to be understood that he was entitled by his position at home to the character of a gentleman) advised him, in the first instance, to leave the city. As I understand, he refused. The intimation was made to him in no offensive manner, nor with any demonstration of violence. any demonstration of violence. A mob in the Southern States can rarely, in the first instance, assume a controlling States can rarely, in the first instance, assume a controlling form; it will yield to intelligence or proper suggestions from the responsible portion of society; but once in motion, under such implied sanctions, and it may assume a character and violence not easily to be repressed. Well, such was the state of things in Charleston. The opinion of society was, that it was an impertinent intermeddling with its security, for an agent to come from another State and interfere in the concerns of a community that could have but one continue and cerns of a community that could have but one opinion-and

there was but one opinion.

Mr. Hoar was told more distinctly, and by gentlemen who were opposed to any thing like popular violence, that he must leave the city. Under this determination, arrangements were made, with regard to some of his family, that he should leave the city with no positive demonstrations of rudeness. And it may be said that he did leave under a polite invitation, with a significant determination to enforce the invitation, in the event of his refusal to disregard it; and it may have been

that, in going away, he was a volunteer by compulsion.

It affords me no pleasure to dwell on scenes of this kind.

They exhibit a state of things that have been brought about inder feelings alien to those which influenced the framers of the constitution. The people or interests of the North can-not suffer under the law referred to, whilst it is regarded as one of self-preservation by the State that enacted it. The one section has speculated in fanciful construction of constitutions to maintain rights which never can be seriously invaded,

whilst the other looks to legislative guards against palpable dangers, such as experience had disclosed, and such as no prudent community could overlook.

One of the most terrific insurrections had been planned by a colored man coming from abroad. Under the horrible suggestions of a free colored man, deluded slaves were induced to look for an unavailable and, under the circumstances, an unenviable freedom, through the ashes of a city and the blood of the male inhabitants. To guard against such an event is, in the opinion of the gentleman, to be guilty of an aggression on the North. This is the flagrant case of Southern outrage

on the feelings and privileges of Northern citizens.

But, passing from the subject, I will in a very few words, but plain ones, notice another portion of the gentleman's speech, which was particularly directed to myself, growing out of a question which I propounded to him in the course of hi remarks. He had denied that slavery existed in Mexico, and know that I am trespassing on the time and feelings of the senate, in asking the privilege of speaking a few words at contended that her laws in reference to slavery were not and Senate, in asking the privilege of speaking a few words at this late hour of the evening. But as the gentleman has taken upon himself the office of review and inspection, I hope I may be allowed to give him some mark of salutation. I shall do so by marching up directly to the subjects to which he has challenged my attention. He has been very comprehensive in his views and free in his observations. States, persons, and general doctrines have fallen within the expansive angle of his vision; and the State of South Carolina has been specially selected as worthy of his censure and animadtheir acquisition? And the gentleman contended that the conquerors might have their land; but that, by the laws of the conquered, these slaves could no longer be bound to labor

for their masters.

I have always thought such a proposition a strange ake this case : two men reside on neighboring islands. One was slaves and the other does not; and one sells out to the owns slaves and the other does not; and one sells out to the other: can he be prohibited from taking his slaves to the purchased premises, because slavery had been prohibited there before the purchase? Take a case that may well be put: Suppose Cuba to be an independent State, and she were to make; war upon Hayti, and were to bring the inhabitants to an unconditional surrender of that island: would the people of Cuba be prohibited from carrying their slaves to the conquered territory by virtue of any law that had existed there? The conquerer might, for convenience, recognise as many of the laws as would be subservient and proper for the enjoyment of his conquest. But if he had made the conquest expressly with a view of removing his slaves for his profit, it would indeed be strange if he could not carry his property with him. I think the proposition to he this: the conquerer has a right to go upon his territorial conquests himself, with all his pro-Mr. DAVIS. Certainly not. But I only speak of the case as presented: thus by revolution the viceroyalty fell, and a confederation of States, free and independent, rose upon the site it had occurred. The constitution adopted defined the competent for Mexico or California to have said to the victors, after the treaty, you shall only bring such property with you as we have chosen to regard as property? We do not reas we have chosen to regard as property? We do not regard slaves as property, and therefore you cannot bring them among us. Thus enlarge the proposition: Suppose the United States, while they were all slaveholding States, had made the conqest of Mexico or California, and that all the parties had been slaveholders: what effect would the laws of Mexico have had to control their rights and authority of ownership They did not cease the less to be owners because they had th power of conquerers. If one with arms to enforce his rights were to be told by those whom he had just whipped that they could stop him by law from coming among them, it would give law a potency approaching incomprehensible sublimity. Can it make any difference that a conquest is effected by the joint co-operation of slaveholders and non-slaveholders? as slaves to work, and the other has money to hire labor but they are equal partners, if they engaged in enterprise and conquest as equals. And who will dare to say that, under the flag of the Union, our States and troops did not go into the Mexican war as equals? They were equals in the war, and they are equals as partners to share its fruits. The conis under the common guaranties of the flag and constitution of the United States, for the benefit of all.

What is a ship sailing on the high sess, under the flag of the United States? Is it not to be regarded as being a part of the territory of the country to which it belonged, and to carry with it the guaranties of property on board of it, of whatever kind it might be, as well slaves as any other species of property? Such was the doctrine held by Mr. Wen-STER when, as an impartial trustee, he was acting as Secretary of State, for all the interests of his constituents alike, and in that character I would trust him now. In the case of the Creele, he distinctly maintained the opinion that under the guaranties of the constitution of United States slaves were to be regarded as legitimate property on board of an American vessel, and that, too, on the

perty on board of an American vessel, and that, too, on the ground that the bottom of the vessel took its character from the jurisdiction of the country to which it belonged.

If a slaveholder were to buy a plantation of a non slaveholder, he would be apt to think that he had a right to cultivate it as he pleased; and if three slaveholders and three non-slaveholders were to buy a domain from a non-slaveholding owner, could it be possible that the non slaveholders could claim all the dominion over the government of the purcould claim all the dominion over the government of the purchased premises? If they were in a minority, they would not attempt it; if equal, they would forbear: and it is only is the case of an arbitrary majority that they would attempt to control the other partners. It is not justice, but arbitrary ower, that makes the lawyers speak from suggestions.

That gentleman says he has a law case that must control this whole question, and has commended it to my attention. I think I heard of it before. I believe I never read it till a few noments since; but I never heard attributed to it such potency before, nor have I ever heard given to it such an interpretabefore, nor have I ever heard given to it such an interpreta-tion. The gentleman used it to show that a slaveholding State had no right to carry its slaves on its own territory, if acquired from a non-slaveholding people. I have read the case; and, whilst I admire the gentleman's ingenuity, and his kind-ness in relieving me from the embarrassments of ignorance or error, I must be permitted to say, that I cannot see the appli-cation of the case referred to. Before I notice the case in its particulars. I various to say that it decides nothing me particulars, I venture to say that it decides nothing more han this : That a slave owner of Virginia, carrying his slave into the Northwest Territory, into the Territory of Indiana, before 1787, made his property in slaves, remaining there after that time, subject to the ordinance of that date; and that, before that time, there had been no question of his right to hold them in such Territory, whilst it was a province of Virginia. In other words, I will venture the proposition, that there is no instance in which the right of a slaveholder to his slaves was ever questioned in the Northwest Territory, whilst was a dependance or province of Virginia, and bel subject to the ordinance of 1787. The decision referred to turned on the operation of that ordinance to dis-charge slaves from their bondege, after it went into effect. The case is found in Walker's reports, (Miss.) The judge in giving the opinion of the court, states the case as follows

"The facts in this case are not controverted; that the three negroes were slaves in Virginia; that in 1784 they were taker by John Decker to the neighborhood of Vincennes; that they remained there from that time until the month of July, 1816; that the crdinance of Congress passed in the month of July, in the year 1787; and that the constitution of the State of Indiana was adopted on the 29th June, 1816."

These are the essential facts; and the real question in the

enforce that doctrine.

As something has been said during this debate about the mission of Mr. Hoar, and the conduct of the people of South Carolina towards him, I hope it may be allowable for me to make a short statement, by way of explanation. The gentleman came to South Carolina at a time of high popular excitement, and his mission helped to increase it; he came to protect from the operation of the laws of South Carolina the trivial in the came to protect from the operation of the laws of South Carolina the trivial in the came to protect from the operation of the laws of South Carolina the trivial in the came to protect from the operation of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United States. I shall not trouble the Senate with a minute examination of the United S siding on the territory at the time of the cession, which had been made before 1787. But the court said that the ordinance could control this stipulation.

The ordinance provides that there shall be neither slavery

nor involuntary servitude, otherwise than for the punishment of crimes, excluding all kinds of servitude except that which follows conviction. The court say: "But, according to the construction contended for by the defendant's counsel, those who were slaves at the passing of the ordinance must continue in the same condition." The court sustain the ordinance, and say that it was confirmed by the constitution of Indiana.

I think I may conclude by saying that the case is no prop to the structure of the gentleman's general argument, and that argument is the wicker-work of old materials; they have been used so often that they have lost the charm and freshness of novelty, and will have to be regarded as the crumbling ness of novelry, and will have to be regarded as the crumping materials of ingenious architects; and architects cannot make crumbling sandstone subserve the place of solid marble.

I conclude by saying, if Nature has excluded the South, be it so; but if it has not, give us a fair chance under the guaranties of the national flag.

Mr. WALKER. I did not think that any speech from

one so humble as myself could kick up such a "bobbery" as this, as I suppose the honorable Senator from South Carolina would call it.

Mr. BUTLER, (in his seat.) I never said so. It is a

Wisconsin phrase altogether.

Mr. WALKER. I will first notice the concluding remark of the Senator from Mississippi, and say to him that I concur with him perfectly, and will join with Obadish in cursing, whenever a man shall present himself on this floor to take steps to dissolve this Union. I believe he will meet the curse

steps to dissolve this Union. I believe he will meet the curse of the traitor in the other world.

But, sir, I come now to notice this decision, and I will say to the honorable Senator from South Carolina that he is mistaken from beginning to end, and I will prove it.

Mr. BUTLER. I read the beginning, so that I cannot be

mistaken in that.
Mr. WALKER. You are mistaken in your deductions from beginning to end, for the reason that to read it correctly you should have read what followed that which you did read. He is mistaken in this: the treaty of which the decision speaks is not the treaty between France and England, but the treaty between Virginia and the Government of the United States, by which she ceded the Northwestern Perritory. The Senator from South Carolina said that the case turned upon a clause in the treaty between France and England. Now, sir, it turned upon no such clause. Let us see what the case

I read from the case itself:
"The facts in this case are not controverted: that the three "The facts in this case are not controverted: that the three negroes were slaves in Virginia; that in 1784 they were taken by John Decker to the neighborhood of Vincennes; that they remained there from that time until the month of July, 1816; that the ordinance of Congress passed in the month of July, in the year 1787; and that the constitution of the State of Indiana was adopted on the 29th June, 1816."

Mr. FOOTE. Will the Senator give way for a motion adjourn, and continue his remarks on Monday

Mr. WALKER. No, sir; I shall be through in a moment. The Senator will find that it is important that the Senator from South Carolina should be correct, and I intend to correct him. If it is intended, when authorities are brought here, that they shall be chopped up so that they mean nothing when they go before the country, I can stand here and chop up as long as any body. I will not yield the floor.

"These are the material facts; but the law arising out of the ordinance, treaty of cession of Virginia to the United States of that district of country and the constitution, is controverted. To clear away the difficulties arising from extraneous matters, and to place the grounds of this opinion plainly before the court, a short history of the country will be necessary. The country was within the chartered limits of Virginia; but from the year — until the peace of 1763, it was subject to, and claimed by, France. By the peace of 1763 it was cedled to Great Britain. It will appear, by reference to the proclamation of General Gage, in 1775, and to the acts of Col. Wilkins, in granting lands as Governor of Illinois, that it was under a government distinct and separate from the then colony of Virginia. During our revolutionary war, it was conquered by the arms of Virginia: but there has been exhibited no evidence government distinct and separate from the then colony of Virginia. During our revolutionary war, it was conquered by the arms of Virginia; but there has been exhibited no evidence to show that the laws of Virginia were ever extended to that country after its conquest, or that Great Britain, after the treaty of 1763, by which she obtained it, ever changed the laws then existing in the province. I have carefully examined the acts of Virginia, and can find no provision extending its laws to that district of country."

Now, bear in mind, this is the conquered territory of Vir-Had Virginia the right to take slaves into that territory? What says the court?
"I think, then, that it is undeniable that the laws, as they

existed while it was a province of France, were the municipal Here, as I remarked in my speech, the court ran through rights of property in slave jurisdiction, but I am contesting a law point. Well, sir, here is a further dictum in this case: "From the facts, authorities, and reasons advanced, these consequences result; that, as conquered countries, they were subject to such laws as the conquerors chose to impose; that the Legislature of Virginia not making any change in their laws, the ancient laws remained in full force, and that the "titles, possessions, rights, and liberties" guarantied were those they enjoyed prior to the conquest, the 'lex loci, not as citizens of Virginia, but as a provincial appendage."

How can my position be controverted, if this be the law The Senator from South Carolina mistakes the case. I give him the case which he put to me of a country conquered by a nation of slaveholders. But New Mexico and California are a much stronger case. The country was not conquered by a nation of slaveholders, as in the case of the Northwestern

Territory. And here I will state another proposition : that in the UNITED States there is no such thing as a slave. Within the geographical limits of the United States there are slaves;

but there are no slaves in the UNITED States—or, to transpose it, there are no slaves in the States UNITED. It is confined, according to the authority from which I have read, to the States in which it exists.

Then, sir, to come to the other part of the case—and I shall conclude with that. It is this: it was claimed by the Senator from Mississippi, as I understood him to contend, that slavery exists on a principle of natural right. But I contend, according to this case, "that it exists, and can only exist by municipal regulations." Hence I am sustained in saying that there is no slave in the UNITED States; and when the UNITED States; and when the UNITED States conquered Mexico, they did not conquer it as a slaveholding nation; and thank God for it. I do not denounce slavery within the States; but I do denounce the doctrine of aspiring to introduce it where it does not exist. I move to postpone the further consideration until Tuesday next at 1 o'clock. The motion was agreed to.

Mr. CASS presented a joint resolution of the Legislature of Michigan, in regard te the admission of California in Union, which was read, as follows : Joint resolution in regard to the admission of California into the Union.

the Union.

Resolved by the Senate and House of Representatives of the State of Michigan, That, in the adoption of a constitution, the inhabitants of California have complied with all the requisites necessary to entitle them to admission into the Union as a State, upon an equal footing with the other States; and that by its adoption we have the best evidence not only of their desire but their ability to maintain a Government republican in form; and that they are entitled to and should be immediately admitted into the Union; and that the limits and institutions, as defined in their constitution, should be guarantied to them.

our Representatives requested to use all proper means to pro-cure the admission of California as mentioned in the foregoing resolution; and that the Governor of this State be requested to forward copies of these resolutions to our Senators and Representatives in Congress.

THE NEW YORK JOURNAL OF MEDICINE

Por March, 1850.

DUBLISHED this day, No 41 for March, 1850, the New York Journal of Medicine and the Collateral Sciences, edited by S. S. Purple, M. D. This number contains a historical notice of the progress of the medical science from the landing of the Pilgrims, at Plymouth, to the present time, by Stephen W. Williams, M. D. Successful removal of Fibrous Tumor of the Ovarium by the large Abdominal Section, by W. H. Van Buren, M. D. Report on Premature Labor successfully induced on account of contracted pelvis, by F. W. Blatchford, M. D.; Excision of Scirrhus Mamma, followed twelve days after the operation by Tetanus, by Samuel Tyler, M. D. of Fredertck City, Maryland; together with eight other original articles of great practical utility.

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